



North Carolina Department of Health and Human Services
Division of Mental Health, Developmental Disabilities
and Substance Abuse Services

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Willie M. Section

ADMINISTRATIVE LETTER NO. 92-1

TO: Area Directors
Willie M. Coordinators

FROM: Marci White, Chief
Willie M. Section

DATE: February 21, 1992

RE: SSI PAYMENTS FOR **Willie M. CLASS MEMBERS IN RESIDENTIAL CARE**

PURPOSE and POLICY

Many **Willie M.** class members receive Supplemental Security Income (SSI). Others are eligible for SSI but not yet receiving the assistance. The purpose of SSI is to provide for the basic needs of the recipient (e.g., housing, food, clothing, personal items). The provider of room and board for the child receiving SSI is entitled to a reasonable amount of the payment to offset the costs of housing and food.

In cases where the **Willie M.** Program provides residential care for the child, the major portion of the child's SSI payments should be reimbursed to the **Willie M.** Program. State law prescribes that **Willie M.** class members shall receive the benefits of programs to which they are otherwise entitled. It is the responsibility of Area Program **Willie M.** staff to ensure that application is made for SSI for each class member and that SSI funds are paid to the Area Program to offset state funds supporting residential care.

Many Area Programs have been successful in generating SSI receipts for all eligible class members. Others have encountered barriers which have prevented full access to

SSI funds. The following, suggestions are offered to assist Area Programs in gaining access to SSI funds for **Willie M.** class members.

Eligibility for SSI

Each case manager should verify whether clients in his/her caseload are receiving SSI. This can be done by calling the local office of the Social Security Administration (SSA). If a class member is not receiving SSI, the case manager should determine whether application has ever been made. If not, then the case manager should work with the family and/or local DSS to complete an application. Our experience is that most **Willie M.** class members will be found to be eligible for SSI.

Payee for SSI

The Social Security Administration will designate the most appropriate individual or organization as payee for the SSI payment. Generally, the payee will be the custodial parent or the county DSS if the child is in DSS custody. However, SSA will frequently designate the provider of room and board for the child as payee. The particular arrangement used in a local area may vary, and we encourage you to work with families, local DSS's and SSA to identify the most logical payee in each case. The **Willie M.** program does not require that the Area Program be the payee, only that the Area Program ultimately be reimbursed from SSI funds when residential services are provided. However, if there is a problem in securing reimbursement from the guardian from a child's SSI account, then the Area Program has a right to request that it be designated as payee by the SSA. SSA will change the payee upon documentation that the Area Program is providing residential care to the child.

Payment for Residential Care

Whenever a **Willie M.** class member receives SSI and receives residential care from the Area Program (either directly or through contract) the Area Program should charge the child's account for the residential service. The charge should represent a reasonable portion of the total SSI payment after subtracting a necessary clothing and personal needs allowance. This amount may vary according to local custom (as agreed upon among Mental Health, DSS and parents). It may also vary from child to child based upon individual needs. Each Area Program should develop its own policy with respect to the personal needs set aside. (We are aware of policies that set aside fixed amounts or fixed percentages of the SSI payment.) Our expectation is only that the majority of the payment be paid to the Area Program for the residential service. We will expect that Area Programs will generate SSI receipts for all eligible class members in residential care beginning in FY 1992-93.

Resolution of Problems

If Area Program staff encounter problems with establishing eligibility, designation of payee, or securing payment for residential care from SSI accounts, they should first

attempt to resolve the problems locally. Your expectations should be that local SSA offices and county DSS will understand and cooperate with these procedures. If that is not the case, you should secure written documentation of any refusal to pay or change of payee from the County DSS Director or local SSA Manager. You may refer any such documented problem to this office for assistance. Please understand that our concerns are twofold: first, to maintain effective interagency and parent/staff relationships; and second, to see that all funds available for supporting **Willie M.** services are used appropriately. Our preference at all times is for such problems to be worked out cooperatively at the local level.

I hope that this information proves useful to you in addressing SSI issues with **Willie M.** class members. Please contact your Regional **Willie M.** Specialist if you have additional questions regarding these issues.